

**Commission on Peace Officer Standards and Training**

1601 Alhambra Blvd
Sacramento, CA 95816-7083
www.post.ca.gov

Date: March 2, 2007

Bulletin: No. 2007-03

Subject: Notice of Proposed Regulatory Action – *Training Specifications for Peace Officer Basic Courses* – Effective July 1, 2007

The Commission on Peace Officer Standards and Training (POST) has approved proposed amendments to the *Training and Testing Specifications for Peace Officer Basic Courses* document to address the following changes:

- Modify curriculum as part of an ongoing review
- Eliminate POST-Constructed Knowledge tests
- Add Physical Skills Pilot Testing for research purposes

The attached notice describes the proposed changes and includes an invitation for written input on this proposal, the deadline for written comments, and information about requesting a public hearing. The following, related information is available on the POST website at

www.post.ca.gov/RegulationNotices/RegulationNotices.asp:

- POST Bulletin and Notice of Proposed Regulatory Action
- Text of Proposed Regulatory Action
- Initial Statement of Reasons.

Please direct inquiries about this proposed regulatory action to Patricia Cassidy, Commission on POST, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, by email at Patti.Cassidy@post.ca.gov, by telephone at 916.227.4847, or by FAX at 916.227.5271. Julie Hemphill is the back-up contact person for this proposal; Julie is available by telephone at 916.227.0544, or by email at Julie.Hemphill@post.ca.gov.

HAL SNOW

Interim Executive Director

Attachment: Notice of Proposed Regulatory Action

NOTICE OF PROPOSED REGULATORY ACTION
Regulations 1005, 1007, 1008; Procedure D-1; *Training Specifications for Peace Officer Basic Courses* – Effective July 1, 2007

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Chapter 2 of Title 11 of the California Code of Regulations. This proposal is made pursuant to the authority vested by Penal Code §13503 (powers of the Commission on POST) and §13506 (Commission on POST authority to adopt regulations). Implementation of this proposal will interpret, implement, and make specific Penal Code §13503(e) (Commission on POST authority to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses).

Public Comments Due by April 16, 2007

The Commission requests written comments on the proposed actions. POST must receive the written comments no later than 5:00 p.m. on April 16, 2007. Please send any written comments to Hal Snow, Interim Executive Director, at the Commission on POST, 1601 Alhambra Boulevard, Sacramento, CA, 95816-7083, or by fax at 916.227.2801.

A public hearing is not scheduled. Pursuant to Government Code §11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

Informative Digest/Policy Statement Overview

The amendments are proposed by POST staff, Subject Matter Experts (SMEs) and a Standing Alignment Committee (SAC) convened by the POST Basic Training Bureau. All changes to academy curriculum begin with recommendations from law enforcement practitioners or, in some cases via legislative mandates. POST then facilitates meetings attended by curriculum advisors and subject matter experts (SMEs) who provide recommended changes to existing academy curriculum. These recommendations are then submitted to the Standing Alignment Committee (SAC), chaired by non-POST personnel and comprised of academy directors and coordinators. The SAC approved recommendations are then submitted for review by all academies at the quarterly Basic Course Consortium meetings facilitated by POST. The Consortium approved the proposed changes at its June 14, 2006 meeting. The Commission approved the proposed changes at its January 25, 2007, Commission meeting, subject to the Notice of Proposed Regulatory Action process.

The proposed changes will affect the following learning domains (LDs):

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| #1, <i>Leadership, Professionalism & Ethics</i> | #24, <i>Handling Disputes/Crowd Control</i> |
| #6, <i>Property Crimes</i> | #28, <i>Traffic Enforcement</i> |
| #7, <i>Crimes against Persons</i> | #30, <i>Preliminary Investigation</i> |
| #12, <i>Controlled Substances</i> | #40, <i>Weapons Violation</i> |
| #13, <i>ABC Law</i> | #41, <i>Hazardous Materials</i> |
| #17, <i>Presentation of Evidence</i> | #43, <i>Emergency Management</i> |

At the July 2006, State Law Enforcement Training Managers Association (LETMA) meeting, staff received comments from the field that requested modifications in the Specialized Investigators' Basic Course (SIBC) Learning Domains (LDs). These LDs were outdated, and the content had not been updated since January 2001. In January 2004, the verbs were incorporated, but the curriculum had not been reviewed or modified. A committee of SMEs, and SIBC presenters were brought together to review and update the curriculum. The review process included the removal of redundancies between LDs, modifying and updating the emerging changes of the specialized investigator, and moving some learning objectives from one LD to another to allow for educational consistency. The hours were then adjusted accordingly.

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The proposed changes will affect the following learning domains (LDs):

#60, *Surveillance*
#61, *Administrative Procedures*
#62, *Case Management and Sources of Information*
#63, *Computer Crimes*

At the September 2006, Academy Consortium meeting, a Basic Course Testing Committee reviewed the student workbooks and the required tests and found that two of the revised domains no longer support assessment via written tests. Accordingly, the Consortium has recommended the removal of existing specifications that require students to pass POST-Constructed Knowledge Tests in LD 13 (*ABC Law*) and LD 41 (*Hazardous Materials*) from the *Training and Testing Specifications for Peace Officer Basic Courses*. The Commission approved this action at its January 25, 2007, Commission Meeting, and previously approved the removal of the tests in LD 30 (*Preliminary Investigation*) at its October 27, 2005, Commission meeting.

Upon adoption of the proposed amendments, academies and course presenters will be required to teach and test the updated curriculum. The proposed effective date is July 1, 2007.

Adoption of Proposed Regulations

Following the close of the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or the Commission may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, it will make available the text of any modified language, clearly indicated, at least 15 days before adoption, to all persons whose comments POST received during the public comment period, and to all persons who request notification from POST of the availability of such changes. Please address requests for the modified text to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text becomes available.

Text of Proposal, Rulemaking File, and Internet Access

The following information regarding the proposed regulatory action is available on the POST website at <http://www.post.ca.gov/RegulationNotices/RegulationNotices.asp>:

- POST bulletin and Notice of Proposed Regulatory Action
- Text of Proposed Regulatory Action
- Initial Statement of Reasons.

Individuals without Internet access may request a copy of the above documents by calling 916.227.4847 or by submitting a written request to the contact person listed below. Please refer to POST Bulletin 2007-03. The rulemaking file, which contains the above-mentioned documents and all information upon which POST is basing this proposal, will be available for inspection during the Commission's normal business hours (Monday through Friday, 8 a.m. to 5 p.m.).

The Final Statement of Reasons will be prepared after the close of the public comment period. To request a copy, contact POST at the above telephone number, write to the address under Contact Persons at the end of this notice, or view the document on the POST Internet website at the address cited above.

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Estimate of Economic Impact

- Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None
- Non-Discretionary Costs/Savings to Local Agencies: None
- Local Mandate: None
- Costs to any Local Agency or School District for which Government Code Section 17561 Requires Reimbursement: None
- Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, including Small Business: The Commission on Peace Officer Standards and Training has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will not affect California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not have an impact on California businesses, including small businesses.
- Cost Impacts on Representative Private Persons or Businesses: The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Effect of Proposal on Housing Costs: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulation would have no effect on housing costs.

Assessment

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the state of California, and will not result in the elimination of existing businesses or create or expand businesses in the State of California.

Consideration of Alternatives

To take this action, the Commission must determine that no reasonable alternative considered by the Commission, or otherwise identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to effected private persons than the proposed action.

Contact Persons

Please direct any inquiries or comments concerning the proposed action by mail to Patricia Cassidy, at Commission on POST, 1601 Alhambra Boulevard, Sacramento, CA, 95816-7083, by telephone at 916.227.4847, by FAX at 916.227.5271, or by email at Patti.Cassidy@post.ca.gov. Julie Hemphill is the back-up contact person; Julie is available by telephone at 916.227.0544, or by email at Julie.Hemphill@post.ca.gov.